a.	Plaintiff
	Defendants
ъ.	COUNT MESO GOLDEN GATE AUE. SAN FRANCISCO CALIFORNIA 94102
	SAN FRANCISED CHUTORNIA 100
C.	Docket or case number
đ.	Name of judge to whom case was assigned
e.	Disposition (For example: Was the case dismissed? If so, what was the basis for dismissal? Was it
	appealed? Is it still pending?)
f.	Issues raised: SENTENCE THEY GIVE ME TOO MUCH
	TIME
g.	Approximate date of filing lawsuit:
h.	Approximate date of disposition
	ave you filed a grievance concerning the facts relating to your current complaint? Yes No Your answer is no, explain why not
-	
3. I	s the grievance procedure completed? Yes No
I	f your answer is no, explain why not
4.]	Please attach copies of papers related to the grievance procedure.
JUR	ISDICTION
	JOSE LUIS KICO
This	complaint alleges that the civil rights of plaintiff JOSE LUIS 18100 (print plaintiff's name) OBOY 2000 VACAVIUE CAL 95696-20
who	presently resides at (mailing address or place of confinement)
wer	e violated by the actions of the defendant(s) named below, which actions were directed against plaintiff at
	(institution/city where violation occurred)
	CIVIL RIGHTS COMPLAINT Page 2 or

CV-66 (7/97)

(date or da	(Caim I)	(Claim II)	(Claim I	
TE:	•	n one defendant or allege more the copy of this page to provide the in	han one claim. If you a nformation for addition	are naming more than nal defendants.
Defenda	NORTHERN D	ISTRICT OF CALIFO	RNIA	esides or works at
	(full name of nist defendant) 450 6000E0	GATE AVENUE.		
	(full address of first defendant SAN FRANC (defendant's position and title,	GATE AVENUE.	94102	
The def		eck one or both): ☐ individual		
Explain	how this defendant was acti	ing under color of law:		
2. Defend	lant (full name of first defendant)			resides or works at
	·			
	(full address of first defendance)			
	(defendant's position and titl		Cofficial capacity	
	efendant is sued in his/her (C in how this defendant was ac	theck one or both): I individual ting under color of law:	□ official capacity	•
				·
				resides or works at
3. Defen	dant (full name of first defendan	ıt)		_
	(full address of first defend	lant)	·	_
	(defendant's position and ti	itle, if any)		
The d	defendant is sued in his/her (Check one or both): ☐ individua	al Official capacit	y.
Expla	ain how this defendant was a	acting under color of law:		
-				
	130 J. J.			

(full name of first defendant) (full address of first defendant) Sen Genticis Co (filts and y) The defendant is sued in his/her (Check one or both): individual official capacity. Explain how this defendant was acting under color of law: Defendant	Defendant	NORTHERN DISTRICT OF CAL.	resides or works at
(full address of first defendant) Gefendant's position and title, if any) The defendant is sued in his/her (Check one or both): individual official capacity. Explain how this defendant was acting under color of law: Defendant	Delemant		
Compared to the fame of first defendant			
The defendant is sued in his/her (Check one or both): individual official capacity. Explain how this defendant was acting under color of law: Defendant			
The defendant is sued in his/her (Check one or both): Individual Official capacity.		C. Triviole Co.	•
The defendant is sued in his/her (Check one or both): \(\text{ individual } \) official capacity. Explain how this defendant was acting under color of law: Defendant resides or works at (full name of first defendant) (full address of first defendant) (defendant's position and title, if any) The defendant is sued in his/her (Check one or both): \(\text{ individual } \) official capacity.		•	
Explain how this defendant was acting under color of law: Defendant (full name of first defendant) (full address of first defendant) (defendant's position and title, if any) The defendant is sued in his/her (Check one or both): individual official capacity.			•
Defendant resides or works at (full name of first defendant) (full address of first defendant) (defendant's position and title, if any) The defendant is sued in his/her (Check one or both): □ individual □ official capacity.	The defend	ant is sued in his/her (Check one of bom). If harry loans	,
Defendant resides or works at (full name of first defendant) (full address of first defendant) (defendant's position and title, if any) The defendant is sued in his/her (Check one or both): □ individual □ official capacity.	Embin hou	as this defendant was acting under color of law:	
(full name of first defendant) (full address of first defendant) (defendant's position and title, if any) The defendant is sued in his/her (Check one or both): individual official capacity.	Explain 110	W IIIIS deletitatite was acting this control of the	
(full name of first defendant) (full address of first defendant) (defendant's position and title, if any) The defendant is sued in his/her (Check one or both): individual official capacity.			
(full name of first defendant) (full address of first defendant) (defendant's position and title, if any) The defendant is sued in his/her (Check one or both): individual official capacity.			
(full name of first defendant) (full address of first defendant) (defendant's position and title, if any) The defendant is sued in his/her (Check one or both): □ individual □ official capacity.	Defendant		resides or works at
(full address of first defendant) (defendant's position and title, if any) The defendant is sued in his/her (Check one or both): individual official capacity.	Delendarit		
(defendant's position and title, if any) The defendant is sued in his/her (Check one or both): □ individual □ official capacity.		and the state of t	
(defendant's position and title, if any) The defendant is sued in his/her (Check one or both): □ individual □ official capacity.		(full name of first defendant)	
The defendant is sued in his/her (Check one or both): individual official capacity.			-
The defendant is sued in his/her (Check one or both): individual official capacity.			-
The defendant is such in this/her (cheek one of cody).		(full address of first defendant)	-
The defendant is such in this/her (cheek one of cody).		(full address of first defendant)	-
Explain how this defendant was acting under color of law:	m. l.f.	(full address of first defendant) (defendant's position and title, if any)	- - y.
LAPIGHT ILO W LILL WITCH THE COLUMN TO THE COLUMN THE C	The defend	(full address of first defendant) (defendant's position and title, if any)	- - y.
		(full address of first defendant) (defendant's position and title, if any) dant is sued in his/her (Check one or both): □ individual □ official capacity	- y.
		(full address of first defendant) (defendant's position and title, if any) dant is sued in his/her (Check one or both): □ individual □ official capacity	- y.

AIMS*	CLAIM I	
following civil right has been vi	olated:	
	+ - ·	
		Committee Spirit
iting legal authority or argument.	Be certain you describe, in seg	the facts clearly, in your own words, and without parately numbered paragraphs, exactly what each
upporting Facts: Include all facts iting legal authority or argument. DEFENDANT (by name) did to v	Be certain you describe, in seg	the facts clearly, in your own words, and without parately numbered paragraphs, exactly what each
iting legal authority or argument.	Be certain you describe, in seg	the facts clearly, in your own words, and without parately numbered paragraphs, exactly what each
iting legal authority or argument.	Be certain you describe, in seg	the facts clearly, in your own words, and without parately numbered paragraphs, exactly what each
iting legal authority or argument.	Be certain you describe, in seg	the facts clearly, in your own words, and without parately numbered paragraphs, exactly what each
iting legal authority or argument.	Be certain you describe, in seg	the facts clearly, in your own words, and without parately numbered paragraphs, exactly what each
iting legal authority or argument.	Be certain you describe, in seg	the facts clearly, in your own words, and without parately numbered paragraphs, exactly what each
iting legal authority or argument.	Be certain you describe, in seg	the facts clearly, in your own words, and without parately numbered paragraphs, exactly what each
iting legal authority or argument.	Be certain you describe, in seg	the facts clearly, in your own words, and without parately numbered paragraphs, exactly what each
iting legal authority or argument.	Be certain you describe, in seg	the facts clearly, in your own words, and without parately numbered paragraphs, exactly what each
iting legal authority or argument.	Be certain you describe, in seg	the facts clearly, in your own words, and without parately numbered paragraphs, exactly what each
iting legal authority or argument.	Be certain you describe, in seg	the facts clearly, in your own words, and without parately numbered paragraphs, exactly what each
iting legal authority or argument.	Be certain you describe, in seg	the facts clearly, in your own words, and without parately numbered paragraphs, exactly what each
iting legal authority or argument.	Be certain you describe, in seg	the facts clearly, in your own words, and without parately numbered paragraphs, exactly what each
iting legal authority or argument.	Be certain you describe, in selicolate your right.	the facts clearly, in your own words, and without parately numbered paragraphs, exactly what each
iting legal authority or argument.	Be certain you describe, in selicolate your right.	the facts clearly, in your own words, and without parately numbered paragraphs, exactly what each
iting legal authority or argument. DEFENDANT (by name) did to v	Be certain you describe, in selicolate your right.	the facts clearly, in your own words, and without parately numbered paragraphs, exactly what each the solution of the facts clearly, in your own words, and without parately numbered paragraphs, exactly what each the facts of paper using the solution of t

CIVIL RIGHTS COMPLAINT

D.

E. REQUESTFOR RELIEF

lieve that I am entitled to the following specific relief:		
	 2 4 4 5 T	
- Am		
	-	
- A 400		

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

INSTRUCTIONS FOR FILING A CIVIL RIGHTS COMPLAINT BY A PRISONER GENERAL INSTRUCTIONS

This package includes the following documents:

4 copies - complaint form

4 copies - declaration to proceed without prepayment of filing fees

In order for your complaint to be filed, you must submit the original and two copies of both the complaint and declaration to the Clerk. The remaining copy of each is for you to keep for your records. Your complaint must be typewritten or legibly handwritten in ink. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space to answer a question, you must use the reverse side of the form or an additional blank page. You must file a separate complaint for each claim unless they are all related to the same incident or issue. You are required to allege facts; not legal arguments or authorities.

FILING FEES

Payment of filing fee required

In accordance with 1996 amendments to the <u>in forma pauperis</u> statute, 28 U.S.C. § 1915, as a prisoner you will be obligated to pay the full filling fee of \$250 for a civil action regardless of your forma pauperis status and the disposition of the case. If you have the money to pay the filling fee, you should submit a cashier's check, certified bank check, business or corporate check, government issued check, or money order drawn on a major America bank or the United States Postal Service payable to the Clerk of Court and mail it with your complaint to the address listed on the reverse side of these instructions.

Request to pay filing fee in monthly installments

If you do not have the money to pay the full filing fee, you must complete the Declaration In Support of Request to Proceed without Prepayment of Filing Fees. The Declaration must be returned to the Court with your complaint. NOTE: You must have a prison or jail official complete the Certification Section on the Declaration and attach to the Declaration a certified copy of your prison or jail trust account statement for the six months immediately preceding the filing of the complaint. If you submit an incomplete Declaration or do not submit a prison or jail trust account statement with the Declaration, your request to proceed without prepayment of the filing fees may be denied.

Initial partial filing fee assessment

If your request to proceed without prepayment of filing fees is granted, the Court will assess an initial partial filing fee at the time your action is filed. The initial partial filing fee will be equal to 20% of the average monthly deposits to your prison or jail account for the six months immediately preceding the filing of the action, or 20% of the average monthly balance in your prison or jail account for that same six month period, whichever is greater. The Court will order the agency that has custody of you to take that initial partial filing fee out of your prison or jail account as soon as funds are available and forward the money to the Clerk of Court.

Collection of balance of filing fee

After the initial partial filing fee has been paid, you will owe the balance of the filing fee. Until the amount of the filing fee is paid in full, each month you will owe 20% of your preceding month's income toward the balance. The agency that has custody of you will collect that money and send payments to the Clerk of Court any time the amount in your account exceeds \$10.00.

DISMISSAL OF THE COMPLAINT

Regardless of whether some or all of the filing fee has been paid, the Court is required to screen your complaint and to dismiss the complaint if: 1) your allegation of poverty is untrue; 2) the action is frivolous or malicious; 3) your complaint does not state a claim on which relief can be granted; or 4) you sue a defendant for money damages and that defendant is immune from liability for money damages.

If you file more than three actions or appeals while you are a prisoner which are dismissed as frivolous or malicious or for failure to state a claim on which relief can be granted, you will be prohibited from bringing any other actions in format pauperis unless you are in imminent danger of serious physical injury. NOTE: You are required under penalties of perjury to provide accurate information regarding previous filings. Failure to provide this information may result in the immediate dismissal of your complaint.

JURISDICTION

To determine whether jurisdiction and venue are proper in this Court:

- AGAINST FEDERAL DEFENDANTS, please refer to 28 U.S.C. § 1391(e) and <u>Bivens v. Six Unknown</u> <u>Federal Narcotics Agents</u>, 403 U.S. 388, 397 (1971);
- AGAINST NON-FEDERAL DEFENDANTS, please refer to 28 U.S.C. § 1391(b) for claims brought pursuant to 42 U.S.C. § 1983.

SERVICE OF THE COMPLAINT

If your request to proceed without prepayment of the filing fees is approved, the Court will determine whether the United States Marshal should serve the defendant(s) on your behalf.

INQUIRIES AND COPYING REQUESTS

Because of the large volume of cases filed by prisoners in this Court and limited court resources, the Court and Clerk's Office will not answer inquires concerning the status of your case or provide copies of documents, except at a charge of fifty cents (\$0.50) per page. You must therefore keep copies of all documents submitted to the court for your own records.

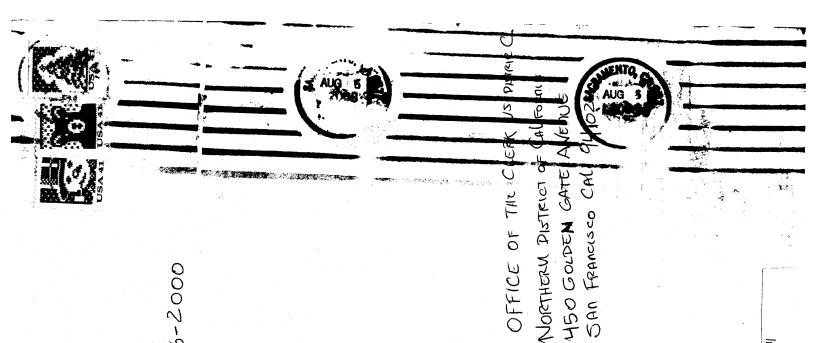
TO MAIL THE COMPLAINT

Mail the <u>original and the two copies</u> of the following completed documents to the address below: complaint and declaration to proceed without prepayment of filing fees (if applicable):

United States District Court Central District of California 312 North Spring Street, Room G-8 Los Angeles, California 90012

ATTENTION: PRO SE CLERK

Telephone: (213) 894-7984



JOSÉ LUIS RICO GOIT31-J2. 256L. P.O.BOX 2000 VACAVILLE CAL 95696-2000



հիկայերդի-պի-այր,---եսուփերկիսի



AUG	FILED
E-filing CLERICHARI	6 2008 PW WIEK WG PISTER OF CO.
TRICT COLIRT	Ca(on)

UNITED STATES DISTRICT COUL **CENTRAL** DISTRICT OF CALIFORNIA

CASE NUM

PRISONER/PLAINTIFF, 150 GOLDEN GATE AVENUE 5AN FRANCISCO CAL 94102 DEFENDANTIS

source during the past twelve (12) months: ___

DEFENDANT(S).

DECLARATION IN SUPPORT OF REQUEST TO PROCEED WITHOUT PREPAYMENT OF FILING FEES

	(P)
I,	, declare under penalty of perjury, that the following is ove entitled case; that in support of my request to proceed 5, I declare that because of my poverty I am unable to pay the e and that I am entitled to redress.
are true, correct and complete.	ses which I have made to the questions and instructions below
1. Are you presently employed in prison? Yes ON	lo
a. If the answer is yes, state the number of hours you 150 HOURS	
b. State the place of your incarceration Have the institution fill out the Certificate portion trust account statement showing transactions for	on of this application and attach a certified copy of your prison the past six months.
2. Have you received, within the past twelve months, as	ny money from any of the following sources?
 a. Business, profession or form of self-employments. b. Rent payments, interest or dividends? c. Pensions, annuities or life insurance payments? d. Gifts or inheritances? e. Any other income (other than listed above)? f. Loans? 	1? □Yes □No
If the answer to any of the above is yes describe su	ch source of money and state the amount received from each

If the answer	is ves identi	fy each account:	and senarate	ly state the a	mount of m	oney held in	each accor	unt for each o
		the date of this		., 5.0.0 0.00				
die sie (o) me	minis prior to	are date of ans		-	F , 2 5			
		-		·	٠.			
Do you own household fu	any real estat rnishings and	e, stocks, bonds, l clothing)? \(\square\)	notes, auton Yes X No	nobiles, or o	ther valuabl	e property (e	xcluding o	ordinary
If the answer	is yes, descr	ibe the property	and state it a	pproximate '	value:			
								-
In what year	did you last f	file an Income Ta	ax Return? _				, - 	
_	ely how much							•
Трргожи	,, 20 200	i income dia vou	ır last tax reti	im reflect?				
		-						
List the pers	ons who are d	-				hip to those p	ersons, an	d indicate ho
		dependent upon y	your for supp			hip to those p	ersons, an	d indicate ho
		-	your for supp			hip to those p	ersons, an	d indicate how
		dependent upon y	your for supp			hip to those p	ersons, an	d indicate how
		dependent upon y	your for supp			hip to those p	ersons, an	d indicate hov
		dependent upon y	your for supp			hip to those p	ersons, an	d indicate how
much you co	ontribute towa	dependent upon y	your for supp	oort, state yo	ur relations.			
much you co	ontribute towa	dependent upon y ard their support:	your for supp	estion in this	ur relations.	n will subject	me to per	nalties for
I understand	that a false s	dependent upon y	your for supp	estion in this	ur relations.	n will subject	me to per	nalties for
I understand perjury. I for \$250,000	that a false surther understa	tatement or answard that perjury ections 1621, 35	your for supp ever to any que is punishable	estion in this	ur relations. s declaration	n will subject nent of up to	me to per five (5) ye	nalties for ears and/or a f
I understand perjury. I foof \$250,000	that a false surther understa	tatement or answard that perjury ections 1621, 35	your for supp ever to any que is punishable	estion in this	ur relations. s declaration	n will subject nent of up to	me to per five (5) ye	nalties for ears and/or a f
I understand perjury. I foof \$250,000	that a false surther understa	tatement or answard that perjury ections 1621, 35	your for supp ever to any que is punishable	estion in this	ur relations. s declaration	n will subject nent of up to	me to per five (5) ye	nalties for ears and/or a f
I understand perjury. I for \$250,000	that a false s	tatement or answard that perjury ections 1621, 35	your for supp ever to any que is punishable	estion in this	ur relations. s declaration	n will subject	me to per five (5) ye	nalties for ears and/or a f
I understand perjury. I for \$250,000	that a false surther understand (18 U.S.C. Sale	tatement or answard that perjury ections 1621, 35	your for supp	estion in thise by a term of	s declarations of imprisonr	n will subject nent of up to かん(こで	me to per five (5) ye	nalties for ears and/or a f
I understand perjury. I for \$250,000	that a false surther understa	tatement or answard that perjury ections 1621, 35	your for supp	estion in thise by a term of	s declarations of imprisonr	n will subject nent of up to かん(こで	me to per five (5) ye	nalties for ears and/or a f
I understand perjury. I for \$250,000	that a false surther understand (18 U.S.C. Sale	tatement or answard that perjury ections 1621, 35	your for supp	estion in thise by a term of	s declarations of imprisonr	n will subject nent of up to かん(こで	me to per five (5) ye	nalties for ears and/or a f
I understand perjury. I for \$250,000	that a false surther understr (18 U.S.C. S	tatement or answard that perjury ections 1621, 35	your for supp	estion in thise by a term of	s declarations of imprisonr	n will subject nent of up to かん(こで	me to per five (5) ye	nalties for ears and/or a f
I understand perjury. I for \$250,000	that a false surther understr (18 U.S.C. S	tatement or answard that perjury ections 1621, 35	your for supp	estion in thise by a term of	s declarations of imprisonment of imprisonment of the country of perjury	n will subject nent of up to かん(こで	me to per five (5) ye going is tr	nalties for ears and/or a f

PRISONER AUTHORIZATION

If my request to proceed without prepayment of filing fees is granted, I understand that I am required by statue to pay the full amount of the filing fees for this case, regardless of my forma pauperis status and the disposition of this case. I further authorize the prison officials at this institution to assess, collect and forward to the Court the full amount of these fees, in monthly payments based on the average of deposits to or balance in my prison trust account in accordance with 28 U.S.C. Section 1915.

Prisoner-Plaintiff (Signature)

CERTIFICATE OF AUTHORIZED OFFICER

hereby certify that the Prisoner-Plaintiff he	here in has credit in the sum of \$ institution where Prisoner-Plaintiff is c	on account at confined.
	onths the applicant's average monthly balance was \$average of monthly deposits to the applicant's account was\$	
A certified copy of the prisoner-plaintiff's	trust account statement for the last six (6) months is attached.	
Date	Authorized Officer of Institution (Signature)	

	Defendants
	Turb Turb
ħ	Court 450 GOLDEN GATE AUE.
	SAN FRANCISCO CALIFORNIA 99102
c.	Docket or case number
đ.	Name of judge to whom case was assigned
e.	Disposition (For example: Was the case dismissed? If so, what was the basis for dismissal? Was it
	appealed? Is it still pending?)
f.	appealed? Is it still pending?) Issues raised:
	TIME
g.	Approximate date of filing lawsuit:
h.	Approximate date of disposition
Is o	AUSTION OF ADMINISTRATIVE REMEDIES s there a grievance procedure available at the institution where the events relating to your current complaint occurred? Yes No
I: o	s there a grievance procedure available at the institution where the events relating to your current complaint
Is o	s there a grievance procedure available at the institution where the events relating to your current complaint courred? Yes No No Yes No
Is o	s there a grievance procedure available at the institution where the events relating to your current complaint occurred? Yes No Have you filed a grievance concerning the facts relating to your current complaint? Yes No If your answer is no, explain why not No Is the grievance procedure completed? Yes No
Is o	sthere a grievance procedure available at the institution where the events relating to your current complaint occurred?
Is o	sthere a grievance procedure available at the institution where the events relating to your current complaint occurred?
Is o	sthere a grievance procedure available at the institution where the events relating to your current complaint occurred?
Is of I	sthere a grievance procedure available at the institution where the events relating to your current complaint occurred? \[\text{Yes} \] No Have you filed a grievance concerning the facts relating to your current complaint? \[\text{Yes} \] No Is the grievance procedure completed? \[\text{Yes} \] No If your answer is no, explain why not

(date or dates)	(Claim I) (Claim II) (Claim II)	n III)
TE: You five	need not name more than one defendant or allege more than one claim. If yo (5) defendants, make a copy of this page to provide the information for additional contents of the copy of the copy of this page to provide the information for additional contents.	u are naming more than ional defendants.
Defendant.	NORTHERN DISTRICT OF CALIFORNIA	resides or works at
· · · · · · · · · · · · · · · · · · ·	450 GOLDEN GATE AVENUE.	-
;	(full name of nist defendant) 450 GOLDEN GATE AVENUE (full address of first defendant) 5AN FRANCISCO, CALIFORNIA 94102 (defendant's position and title, if any)	-
	ant is sued in his/her (Check one or both): I individual I official capacit	
Explain how	v this defendant was acting under color of law:	
. Defendant	(full name of first defendant)	_ resides or works at
		-
The defend	(full address of first defendant) (defendant's position and title, if any)	 ity
	(full address of first defendant)	
	(full address of first defendant) (defendant's position and title, if any) clant is sued in his/her (Check one or both): □ individual □ official capace ow this defendant was acting under color of law:	ityresides or works at
Explain ho	(full address of first defendant) (defendant's position and title, if any) dant is sued in his/her (Check one or both): □ individual □ official capac ow this defendant was acting under color of law:	
Explain ho	(full address of first defendant) (defendant's position and title, if any) dant is sued in his/her (Check one or both): □ individual □ official capac ow this defendant was acting under color of law: (full name of first defendant) (full address of first defendant) (defendant's position and title, if any)	resides or works at
Explain ho	(full address of first defendant) (defendant's position and title, if any) dant is sued in his/her (Check one or both): □ individual □ official capac ow this defendant was acting under color of law: (full name of first defendant) (full address of first defendant)	resides or works at
Explain ho 3. Defendant	(full address of first defendant) (defendant's position and title, if any) dant is sued in his/her (Check one or both): □ individual □ official capac ow this defendant was acting under color of law: (full name of first defendant) (full address of first defendant) (defendant's position and title, if any)	resides or works at
Explain ho 3. Defendant	(full address of first defendant) (defendant's position and title, if any) that is sued in his/her (Check one or both): □ individual □ official capace of the color of law: (full name of first defendant) (full address of first defendant) (defendant's position and title, if any) adant is sued in his/her (Check one or both): □ individual □ official capace of the color of law:	resides or works at
Explain ho 3. Defendant The defer Explain h	(full address of first defendant) (defendant's position and title, if any) that is sued in his/her (Check one or both): □ individual □ official capace of the color of law: (full name of first defendant) (full address of first defendant) (defendant's position and title, if any) adant is sued in his/her (Check one or both): □ individual □ official capace of the color of law:	resides or works at

١.	Defendant	(full name of first defendant)	resides or works at
. :		450 GOLDEN GATE AUE	
	•	(full address of first defendant)	
		SAN FRANCISCO CATEST 94102	•
		(defendant's position and title, if any)	
	The defend	ant is sued in his/her (Check one or both): individual official capacity	•
	Explain ho	w this defendant was acting under color of law:	·
5.	Defendant		resides or works at
٠.	Determine	(full name of first defendant)	
		(full address of first defendant)	•
		(defendant's position and title, if any)	•
	The defen	dant is sued in his/her (Check one or both): individual official capacity	/.
	Explain be	ow this defendant was acting under color of law:	
	Explain be	ow this defendant was acting under color of law:	

E.	REQ	UEST	FOR	RELIEF
----	-----	------	------------	--------

	•	
7#*		
		
		
- 8 10		

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

INSTRUCTIONS FOR FILING A CIVIL RIGHTS COMPLAINT BY A PRISONER -GENERAL INSTRUCTIONS

This package includes the following documents:

4 copies - complaint form

4 copies - declaration to proceed without prepayment of filing fees

In order for your complaint to be filed, you must submit the original and two copies of both the complaint and declaration to the Clerk. The remaining copy of each is for you to keep for your records. Your complaint must be typewritten or legibly handwritten in ink. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space to answer a question, you must use the reverse side of the form or an additional blank page. You must file a separate complaint for each claim unless they are all related to the same incident or issue. You are required to allege facts; not legal arguments or authorities.

FILING FEES

Payment of filing fee required

In accordance with 1996 amendments to the in forma pauperis statute, 28 U.S.C. § 1915, as a prisoner you will be obligated to pay the full filing fee of \$250 for a civil action regardless of your forma pauperis status and the disposition of the case. If you have the money to pay the filing fee, you should submit a cashier's check, certified bank check, business or corporate check, government issued check, or money order drawn on a major America bank or the United States Postal Service payable to the Clerk of Court and mail it with your complaint to the address listed on the reverse side of these instructions.

Request to pay filing fee in monthly installments

If you do not have the money to pay the full filing fee, you must complete the Declaration In Support of Request to Proceed without Prepayment of Filing Fees. The Declaration must be returned to the Court with your complaint. NOTE: You must have a prison or jail official complete the Certification Section on the Declaration and attach to the Declaration a certified copy of your prison or jail trust account statement for the six months immediately preceding the filing of the complaint. If you submit an incomplete Declaration or do not submit a prison or jail trust account statement with the Declaration, your request to proceed without prepayment of the filing fees may be denied.

Initial partial filing fee assessment

If your request to proceed without prepayment of filing fees is granted, the Court will assess an initial partial filing fee at the time your action is filed. The initial partial filing fee will be equal to 20% of the average monthly deposits to your prison or jail account for the six months immediately preceding the filing of the action, or 20% of the average monthly balance in your prison or jail account for that same six month period, whichever is greater. The Court will order the agency that has custody of you to take that initial partial filing fee out of your prison or jail account as soon as funds are available and forward the money to the Clerk of Court.

Collection of balance of filing fee

After the initial partial filing fee has been paid, you will owe the balance of the filing fee. Until the amount of the filing fee is paid in full, each month you will owe 20% of your preceding month's income toward the balance. The agency that has custody of you will collect that money and send payments to the Clerk of Court any time the amount in your account exceeds \$10.00.

DISMISSAL OF THE COMPLAINT

Regardless of whether some or all of the filing fee has been paid, the Court is required to screen your complaint and to dismiss the complaint if: 1) your allegation of poverty is untrue; 2) the action is frivolous or malicious; 3) your complaint does not state a claim on which relief can be granted; or 4) you sue a defendant for money damages and that defendant is immune from liability for money damages.

If you file more than three actions or appeals while you are a prisoner which are dismissed as frivolous or malicious or for failure to state a claim on which relief can be granted, you will be prohibited from bringing any other actions in format pauperis unless you are in imminent danger of serious physical injury. NOTE: You are required under penalties of perjury to provide accurate information regarding previous filings. Failure to provide this information may result in the immediate dismissal of your complaint.

JURISDICTION

To determine whether jurisdiction and venue are proper in this Court:

- AGAINST FEDERAL DEFENDANTS, please refer to 28 U.S.C. § 1391(e) and <u>Bivens v. Six Unknown</u>
 Federal Narcotics Agents, 403 U.S. 388, 397 (1971);
- AGAINST NON-FEDERAL DEFENDANTS, please refer to 28 U.S.C. § 1391(b) for claims brought pursuant to 42 U.S.C. § 1983.

SERVICE OF THE COMPLAINT

If your request to proceed without prepayment of the filing fees is approved, the Court will determine whether the United States Marshal should serve the defendant(s) on your behalf.

INQUIRIES AND COPYING REQUESTS

Because of the large volume of cases filed by prisoners in this Court and limited court resources, the Court and Clerk's Office will not answer inquires concerning the status of your case or provide copies of documents, except at a charge of fifty cents (\$0.50) per page. You must therefore keep copies of all documents submitted to the court for your own records.

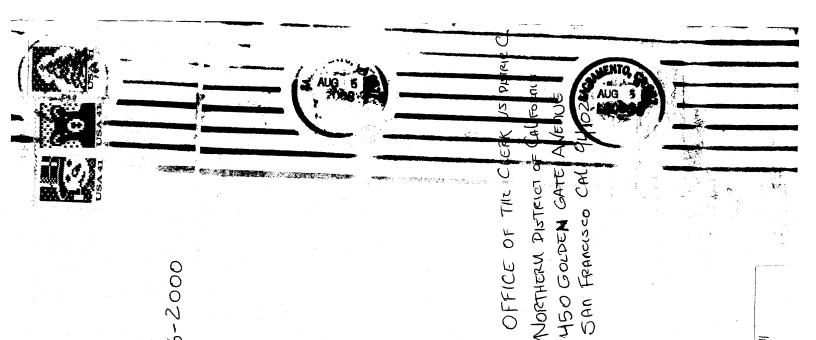
TO MAIL THE COMPLAINT

Mail the <u>original and the two copies</u> of the following completed documents to the address below: complaint and declaration to proceed without prepayment of filing fees (if applicable):

United States District Court Central District of California 312 North Spring Street, Room G-8 Los Angeles, California 90012

ATTENTION: PRO SECLERK

Telephone: (213) 894-7984



JOSÉ LUIS RICO GOIT31-J2. 256L. PO.BOX 2000 VACAVILLE CAL 95696-2000



<u> հիվարկիակիսարդուստուինիկի</u>

RT 8-3-08



	FILED
E-filing®	AUG 6 2008 LERK, U.S. DISTRICT CO. ACKNO.
RICT COURT F CALIFORNIA	

UNITED STATES DIST **CENTRAL DISTRICT OF**

CASE NU

PRISONER/PLAINTIFF, 5An FRANCISCO CAL.
94102 DEFENDANTIS DEFENDANT(S).

DECLARATION IN SUPPORT OF REQUEST TO PROCEED WITHOUT PREPAYMENT OF FILING FEES

•	(P)
I,	, declare under penalty of perjury, that the following is the above entitled case; that in support of my request to proceed on 1915, I declare that because of my poverty I am unable to pay the erefore and that I am entitled to redress.
I further declare under penalty of perjury that the rare true, correct and complete.	esponses which I have made to the questions and instructions below
1. Are you presently employed in prison?	□No
	ours you work per week and the hourly rate of pay:
trust account statement showing transaction	
 2. Have you received, within the past twelve more a. Business, profession or form of self-emple b. Rent payments, interest or dividends? c. Pensions, annuities or life insurance payment d. Gifts or inheritances? e. Any other income (other than listed above f. Loans? 	□Yes □No nents? □Yes □No □Yes □No
If the answer to any of the above is yes, descr	ibe such source of money and state the amount received from each

source during the past twelve (12) months:

3.	Do you own any cash, or do you have money in a checking or savings account? (Include any funds in prison accounts, if applicable.) Yes No
	If the answer is yes, identify each account and separately state the amount of money held in each account for each of
•	the six (6) months prior to the date of this declaration.
	t to the state of the surply of the property (excluding ordinary
4.	Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? Yes No
	If the answer is yes, describe the property and state it approximate value:
5.	In what year did you last file an Income Tax Return? Approximately how much income did your last tax return reflect?
6.	List the persons who are dependent upon your for support, state your relationship to those persons, and indicate how much you contribute toward their support:
	I understand that a false statement or answer to any question in this declaration will subject me to penalties for perjury. I further understand that perjury is punishable by a term of imprisonment of up to five (5) years and/or a fin of \$250,000 (18 U.S.C. Sections 1621, 3571).
	CALIFORNIA SAN FRANCISCO CAL State Sounty (or City)
Ι,	TOSE Rico, declare under penalty of perjury that the foregoing is true and correct.
	7-31-08 Date Prisoner/Plaintiff (Signature)

PRISONER AUTHORIZATION

If my request to proceed without prepayment of filing fees is granted, I understand that I am required by statue to pay the full amount of the filing fees for this case, regardless of my forma pauperis status and the disposition of this case. I further authorize the prison officials at this institution to assess, collect and forward to the Court the full amount of these fees, in monthly payments based on the average of deposits to or balance in my prison trust account in accordance with 28 U.S.C. Section 1915.

Prisoner-Plaintiff (Signature)

CERTIFICATE OF AUTHORIZED OFFICER

hereby certify that the Prisoner-Plainti	f herein has credit in the sum of \$ on account a institution where Prisoner-Plaintiff is confined.	t
	nonths the applicant's average monthly balance was \$ I further e average of monthly deposits to the applicant's account was\$	
A certified copy of the prisoner-plaintif	's trust account statement for the last six (6) months is attached.	
Date	Authorized Officer of Institution (Signature)	

-	FILED AUG 6 2008
e diger	E-filing CLERK US DISTRICTION WIEK
UNITED STATES I CENTRAL DISTRIC	DISTRICT COURT T OF CALIFORNIA
Northern CENTRAL DISTRIC	CASE NUMBER 08 377
PRISONER/PLAINTIFF, USO GOLDEN GATE AVENUE SAN FRANCISCO CAL. 94102 DEFENDANT(S).	DECLARATION IN SUPPORT OF REQUEST TO PROCEED WITHOUT PREPAYMENT OF FILING FEES
true and correct; that I am the prisoner-plaintiff in the above without prepayment of fees under 28 U.S.C. Section 1915, I full costs of said proceedings or to give security therefore and I further declare under penalty of perjury that the responses ware true, correct and complete. 1. Are you presently employed in prison? Yes No a. If the answer is yes, state the number of hours you was	declare that because of my poverty I am mildre to pay the d that I am entitled to redress. which I have made to the questions and instructions below.
b. State the place of your incarceration Have the institution fill out the Certificate portion of trust account statement showing transactions for the	f this application and attach a certified copy of your prison past six months.
 2. Have you received, within the past twelve months, any many many many many many many many	noney from any of the following sources? Yes INo Yes INo
If the answer to any of the above is yes, describe such so	ource of money and state the amount received from each

f the answer is yes, identify ea	ich account and separat	ely state the amo	ount of money he	eld in <u>each</u>	account for each
he six (6) months prior to the	date of this declaration		,€ 5		
	- 1		٠.		
Do you own any real estate, stonousehold furnishings and clot	ocks, bonds, notes, auto thing)? □ Yes 🌣 N	omobiles, or other	r valuable prope	rty (exclud	ling ordinary
If the answer is yes, describe t	he property and state it	approximate val	ue:	e.	
				5	
In what year did you last file a					
Aitale: have much inc	ome did your last tax re	turn reflect?			
List the persons who are deper	ndent upon your for sup		relationship to th	nose persoi	ns, and indicate ho
••	ndent upon your for sup		relationship to th	nose persoi	ns, and indicate he
List the persons who are deper	ndent upon your for sup neir support: nent or answer to any quantinat perjury is punishab	oport, state your	eclaration will s	ubject me t	to penalties for
List the persons who are depermuch you contribute toward the state of	ndent upon your for sup neir support: nent or answer to any quantinat perjury is punishab	pport, state your question in this d le by a term of i	eclaration will s	ubject me t up to five (to penalties for (5) years and/or a
List the persons who are deperment you contribute toward the state of \$250,000 (18 U.S.C. Section 18 U	ndent upon your for supneir support: ment or answer to any quishat perjury is punishabons 1621, 3571).	question in this dele by a term of i	eclaration will sumprisonment of the county (or Ci	ubject me t up to five (to penalties for (5) years and/or a

PRISONER AUTHORIZATION

If my request to proceed without prepayment of filing fees is granted, I understand that I am required by statue to pay the full amount of the filing fees for this case, regardless of my forma paupers status and the disposition of this case. I further authorize the prison officials at this institution to assess, collect and forward to the Court the full amount of these fees, in monthly payments based on the average of deposits to or balance in my prison trust account in accordance with 28 U.S.C. Section 1915.

Prisoner-Plaintiff (Signature)

Page 3 of 3

CERTIFICATE OF AUTHORIZED OFFICER

hereby certify that the Prisoner-Plaintiff he	ere in has credit in the sum of \$ institution where Prisoner-Plaintiff is c	on account at onfined.
	ths the applicant's average monthly balance was \$	
A certified copy of the prisoner-plaintiff's tr	ust account statement for the last six (6) months is attached.	
Date	Authorized Officer of Institution (Signature)	